

52. Defendant is without sufficient knowledge to form a belief as to the truth of the averments contained in Paragraph 52 and said averments are therefore denied with strict proof thereof demanded.

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54. Defendant is without sufficient knowledge to form a belief as to the truth of the averments contained in Paragraph 54 and said averments are therefore denied with strict proof thereof demanded.

55. Denied.

56. Defendant is without sufficient knowledge to form a belief as to the truth of the averments contained in Paragraph 56 and said averments are therefore denied with strict proof thereof demanded.

57. Denied.

58. Denied. It is specifically denied that Plaintiff refused to pay Autosport. Furthermore, the averments of Paragraph 58 of constitute a conclusion of law to which no response is necessary and said averments are therefore deemed denied.

59. Denied. The averments of Paragraph 59 constitute a conclusion of law to which no response is necessary and said averments are therefore deemed denied.

60. Denied. The averments of Paragraph 60 constitute a conclusion of law to which no response is necessary and said averments are therefore deemed denied.

61. Denied. The averments of Paragraph 61 constitute a conclusion of law to which no response is necessary and said averments are therefore deemed denied.

SECOND COUNTERCLAIM

(Unjust Enrichment, in the alternative)

62. The averments of Paragraph 62 do not require a responsive pleading and are therefore deemed denied.

63. Denied.

64. Denied. The averments of Paragraph 64 constitute a conclusion of law to which no response is necessary and said averments are therefore deemed denied.

THIRD COUNTERCLAIM

(Promissory Estoppel, in the alternative)

65. The averments of Paragraph 65 do not require a responsive pleading and are therefore deemed denied.

66. Denied.

67. Denied.

68. Defendant is without sufficient knowledge to form a belief as to the truth of the averments contained in Paragraph 68 and said averments are therefore denied with strict proof thereof demanded.

69. Defendant is without sufficient knowledge to form a belief as to the truth of the averments contained in Paragraph 69 and said averments are therefore denied with strict proof thereof demanded.

70. Denied. The averments of Paragraph 70 constitute a conclusion of law to which no response is necessary and said averments are therefore deemed denied.

FIRST AFFIRMATIVE DEFENSE

71. The Counterclaims fail to state a claim upon which relief may be granted.

SECOND AFFIDMATIVE DEFENSE

72. Defendant's Counterclaims are barred, in whole or in part, by a failure to mitigate its damages, if any.

THIRD AFFIRMATIVE DEFENSE

73. Defendant's Counterclaims are barred, in whole or in part, because Defendant caused the damage to Plaintiff's automobile.

FOURTH AFFIRMATIVE DEFENSE

74. Any damages purportedly suffered by Defendant are reduced or set-off by amounts Defendant recovered or should have recovered through Defendant's insurer.

FIFTH AFFIRMATIVE DEFENSE

75. Defendant's claim for unjust enrichment is barred, in whole or in part, by the fact that Plaintiff did not benefit from Defendant's actions.

SIXTH AFFIRMATIVE DEFENSE

76. Defendant's claims are barred, in whole or in part, because any harm allegedly suffered by Plaintiff was caused by Plaintiff's own actions, inactions, negligence and/or assumption of risk.

SEVENTH AFFIRMATIVE DEFENSE

77. Defendant's Counterclaims are barred by the doctrine of unclean hands.

WHEREFORE, Plaintiff Sky Motor Cars, respectfully requests that this Honorable Court enter judgment its favor, dismissing Defendant's Counterclaims with prejudice and awarding

Plaintiff damages including, but not limited to attorney's fees, court costs, interest and any other relief this Court deems just and proper.

ROGERS & ASSOCIATES, LLC

By: /s/ Lance Rogers

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